

Attorney's Docket No.: 17075-001001
(Prior Customer No. 24961)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) Emphasys Medical, Inc., a Delaware Corporation, certifies that it is the assignee of 100% of the right, title and interest in the patents and patent applications listed on the attached Appendix (TABLE 1). The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the applications and appoints:

Fred C. Hernandez, Reg. No. 41,832

Stephanie Seidman, Reg. No. 33,779

Dale L. Rieger, Reg. No. 43,045

Scott C. Harris, Reg. No. 32,030

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with full power of substitution and revocation, to prosecute the patents applications and to transact all business in the United States Patent and Trademark Office connected with the patents and patent applications.

All correspondence regarding the patents and patent applications should be sent to:

PTO Customer Number:

20985

Direct all telephone calls to Fred C. Hernandez, Reg. No. 41,832. at telephone number (858) 678-5070.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

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punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 8/23/04By:  _____Title: Vice President of Research
Emphasys Medical, Inc. and Development